

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA )  
v. )  
 ) Criminal No. 05-25 Erie  
LEON F. AKERLY, II ) (18 U.S.C. §§922(g)(1)

**MOTION TO ENLARGE TIME PERIOD IN WHICH  
TO FILE PRETRIAL MOTIONS**

AND NOW, to-wit, this 23<sup>rd</sup> day of September, 2005, comes the above-named defendant, LEON F. AKERLY, II, by and through his attorneys, AMBROSE, FRIEDMAN and WEICHLER, and respectfully sets forth as follows:

1. The defendant was arraigned and entered a plea of not guilty on June 29, 2005.
2. The defendant previously filed a Motion to Enlarge the Time Period in which to File Pretrial Motions with the consent of the government. This Court granted the request and ordered that all pretrial motions be filed by September 27, 2005.
3. On Thursday, September 22, 2005, defendant's counsel had a telephone conversation with AUSA Christine Sanner wherein he requested additional documentary evidence concerning the origination of the firearms in question as well as related documents.
4. Such documents are material to the defendant's preparation and therefore discoverable pursuant to Rule 16 of the Federal Rules of Criminal Procedure.
5. Counsel requests that the time period be enlarged by 14 days from September 27, 2005 to October 11, 2005.
6. AUSA Sanner indicated that she would have no objection to this request for additional time while she attempts to access the information from ATF.

WHEREFORE, the defendant respectfully requests that this Court enter an Order enlarging the time period in which to file pretrial motions by 14 days for the reasons set forth herein.

Respectfully submitted,

**AMBROSE, FRIEDMAN and WEICHLER**

s/ Leonard G. Ambrose, III

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